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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LOOP AI LABS INC,  
Plaintiff,  
v.  
ANNA GATTI, et al.,  
Defendant

Case No. 15-cv-00798-HSG

## **ORDER REGARDING SERVICE OF DEFENDANTS**

Re: Dkt. Nos. 14 and 19

On March 5, 2015, Plaintiff Loop AI Labs, Inc. informed the Court that Plaintiff's counsel contacted attorney Richard E. Levine to determine if he would accept service of the documents filed under docket numbers 9 through 12 on behalf of Defendant Gatti, and that Mr. Levine stated that he was not authorized to do so. *See* Dkt. Nos. 14 and 19. Plaintiff's submission to the Court also reported that it was unable to serve Defendant IQSystem Inc. due to inclement weather in Delaware. *See* Dkt. No. 14. Plaintiff's requested to serve both Defendants by email. *Id.*

Plaintiff's request to serve Defendants Gatti and IQSystem Inc. by email is **DENIED**. Rule 4(f)(3) of the Federal Rules of Civil Procedure permits email service on defendants in a foreign country in appropriate circumstances. *See D.Light Design, Inc. v. Boxin Solar Co., Ltd.*, 2015 WL 526835 (N.D. Cal. Feb. 6, 2015) (permitting email service on defendants in China where email service was reasonably calculated to provide actual notice under the circumstances and where email service was not prohibited by international agreement). Rule 4(f)(3) does not apply to defendants located in the United States.

Plaintiff is directed to make all reasonable efforts to immediately serve the documents filed under docket numbers 9 through 12 on all unserved defendants in this action in a manner compliant with Rule 4 of the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 4(e). Plaintiff's efforts should continue up to and including Defendants' March 9, 2015 deadline to

1 oppose Plaintiff's Motion. *See* Dkt. No. 12.

2 In addition, Plaintiff is directed to email the documents filed under docket numbers 9  
3 through 12, along with this Order (Dkt. No. 20), to Richard E. Levine and Tom Losavio. Mr.  
4 Levine and Mr. Losavio are **ORDERED** to immediately forward those documents by email to  
5 Defendant Gatti.

6 **IT IS SO ORDERED.**

7 Dated: March 6, 2015



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9 HAYWOOD S. GILLIAM, JR.  
United States District Judge  
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